

Patent  
Attorney Docket No.: AUS920010176US1  
(IBM/0002)

IN THE CLAIMS:

Please amend the following claims according to the following replacement claim set:

1. (Currently Amended) A system comprising:
  - a memory device having one or more database therein for maintaining information relating to a plurality of users and a plurality of devices;
  - a processor in communication with the memory device, the processor configured to:
    - (a) identify one or more users using a device selected from the plurality of devices that are in communication with the processor, wherein the one or more users are selected from the plurality of users;
    - (b) identify the device used by each of the one or more users;
    - (c) determine, for each of the one or more users, a usage amount attributable to the device;
    - (d) vary a rate schedule of the device during use; and
    - (~~d~~) (e) calculate a user fee for each of the one or more users based on the identity of the device, ~~and~~ the usage amount attributable to the device and the variable rate schedule.
2. (Original) The system of claim 1, wherein the processor is further configured to:
  - repeat steps (b) through (d) for one or more devices subsequently used by each of the one or more users.
3. (Original) The system of claim 2, wherein the processor is further configured to:
  - accumulate a total of user fees for each of the one or more users.
4. (Original) The system of claim 1, wherein the usage amount is a quantity selected from the group consisting of time, repetitions, workload and combinations thereof.

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5. (Original) The system of claim 1, wherein the one or more database maintains rate schedules for each of the plurality of devices.
6. (Cancelled)
7. (Original) The system of claim 5, wherein the one or more of the rate schedules is variable according to a factor selected from time of day, day of the week, device type, device features, device location, concurrent demand for using the device, and combinations thereof.
8. (Original) The system of claim 1, wherein the processor is further configured to:  
accumulate the user fee over a period of time comprising two or more sessions of use.
9. (Original) The system of claim 1, wherein the one or more devices are exercise devices.
10. (Original) The system of claim 1, wherein the processor is further configured to:  
display the user fee on the device during use.
11. (Currently Amended) A computer program product including instructions embodied on a computer readable medium, the instructions comprising:
- (a) storing instructions for storing information relating to a plurality of users and a plurality of devices;
  - (b) identifying instructions for identifying one or more users using a device selected from the plurality of devices that are in communication with the processor, wherein the one or more users are selected from the plurality of users;
  - (c) identifying instructions for identifying the device used by each of the one or more users;
  - (d) determining instructions for determining, for each of the one or more users, a usage amount attributable to the device;

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(e) varying instructions for varying a rate schedule of the device during use; and

(e) (f) calculating instructions for calculating a user fee for each of the one or more users based on the identity of the device, and the usage amount attributable to the device and the variable rate schedule.

12. (Original) The computer program product of claim 11, further comprising:

repeat instructions for repeating steps (b) through (e) for one or more devices subsequently used by each of the one or more users.

13. (Original) The computer program product of claim 12, further comprising:

accumulating instructions for accumulating a total of user fees for each of the one or more users.

14. (Original) The computer program product of claim 11, wherein the usage amount is a quantity selected from the group consisting of time, repetitions, workload and combinations thereof.

15. (Original) The computer program product of claim 11, wherein the one or more database maintains rate schedules for each of the plurality of devices.

16. (Cancelled)

17. (Original) The computer program product of claim 15, wherein the one or more of the rate schedules is variable according to a factor selected from time of day, day of the week, device type, device features, device location, concurrent demand for using the device, and combinations thereof.

18. (Original) The computer program product of claim 11, further comprising:

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accumulating instructions for accumulating the user fee over a period of time comprising two or more sessions of use.

19. (Original) The computer program product of claim 11, wherein the one or more devices are exercise devices.

20. (Original) The computer program product of claim 11, further comprising:  
display means for displaying the user fee on the device during use.

21. (Currently Amended) A method comprising:

- (a) storing information in a processor relating to a plurality of users and a plurality of devices;
- (b) identifying one or more users using a device selected from the plurality of devices that are in communication with the processor, wherein the one or more users are selected from the plurality of users;
- (c) identifying the device used by each of the one or more users;
- (d) determining, for each of the one or more users, a usage amount attributable to the device;
- (e) varying a rate schedule of the device during use; and
- ~~(e)~~ (f) calculating a user fee for each of the one or more users based on the identity of the device, and the usage amount attributable to the device and the variable rate schedule.

22. (Original) The method of claim 21, further comprising:  
repeating steps (b) through (e) for one or more devices subsequently used by each of the one or more users.

23. (Original) The method of claim 22, further comprising:  
accumulating a total of user fees for each of the one or more users.

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24. (Original) The method of claim 21, wherein the usage amount is a quantity selected from the group consisting of time, repetitions, workload and combinations thereof.
25. (Original) The method of claim 21, wherein the one or more database maintains rate schedules for each of the plurality of devices.
26. (Cancelled)
27. (Original) The method of claim 25, wherein the one or more of the rate schedules is variable according to a factor selected from time of day, day of the week, device type, device features, device location, concurrent demand for using the device, and combinations thereof.
28. (Original) The method of claim 21, further comprising:  
accumulating the user fee over a period of time comprising two or more sessions of use.
29. (Original) The method of claim 21, wherein the one or more devices are exercise devices.
30. (Original) The method of claim 21, further comprising:  
displaying the user fee on the device during use.
31. (Currently Amended) ~~A system~~ The system of claim 1, wherein the one or more database further maintains comprising:  
~~a memory device having~~ a fitness database and a dietary database, each database maintaining information relating to [[a]] the plurality of users [[:]] , and wherein  
~~— a processor in communication with the memory device,~~ the processor is further configured for:

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~~(a) identify one or more users using a fitness device selected from a plurality of fitness devices that are in communication with the processor, wherein the one or more users are selected from the plurality of users;~~

(f) accessing fitness records for each of the one or more identified users in the fitness database;

(g) accessing dietary records for each of the one or more identified users in the dietary database; and

(h) providing each of the one or more identified users with health advise based upon the fitness records and the dietary records, wherein the health advise is selected from the group consisting of exercise equipment settings, training considerations, exercise body mechanics, food selections, calorie counting, and combinations thereof.

32. (Currently Amended) The system of claim 31, wherein the processor is further configured to: repeat steps (a) and (f) through ~~(d)~~ (h) for one or more devices subsequently used by each of the one or more users.

33. (New) The system of claim 1, further comprising:

monitoring means for monitoring a current demand for the device during use, wherein the rate schedule is varied according to the current demand for the device.

34. (New) The system of claim 33, wherein the monitoring means comprises an auction-type system that awards use of the device to the highest bidder.

35. (New) The computer program product of claim 11, further comprising:

monitoring instructions for monitoring a current demand for the device during use, wherein the rate schedule is varied according to the current demand for the device.

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36. (New) The computer program product of claim 35,  
wherein the monitoring instructions comprise instructions for an auction-type system that awards use of the device to the highest bidder.
37. (New) The method of claim 21, further comprising:  
monitoring a current demand for the device during use, wherein the rate schedule is varied according to the current demand for the device.
38. (New) The method of claim 37, further comprising:  
conducting an auction that awards use of the device to the highest bidder.